

AGENDA



Thursday, June 8, 2006

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**Zone Hearings/App Ordinances/Restrictive Covenants
RECOMMENDATION FOR COUNCIL
ACTION**

ITEM 114 PH

Subject: C14-06-0082 - Kurachi Paint and Body - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6605 Regiene Road (Carson Creek Watershed) from single-family residence-standard lot-neighborhood plan (SF-2-NP) combining district zoning to limited industrial services-conditional overlay-neighborhood plan (LI-CO-NP) combining district zoning. Planning Commission Recommendation: To deny limited industrial services-conditional overlay-neighborhood plan (LI-CO-NP) combining district zoning. Applicant and Agent: George Kurachi. City Staff: Robert Heil, 974-2330.

Additional Backup Material

(click to open)

 **Staff Report**

For More Information: Robert Heil, 974-2330.

ZONING CHANGE REVIEW SHEET

CASE: C14-06-0082 – Kurachi Body and Paint

PC. DATE: May 9, 2006

ADDRESS: 6605 Regiene Road

OWNER/AGENT: George Kurachi

ZONING REQUEST: From SF-2-NP to LI-CO-NP

SUMMARY STAFF RECOMMENDATION:

Staff recommends limited industrial – conditional overlay – neighborhood plan (LI-CO-NP) combing district zoning for the tract. The conditional overlay would limit daily vehicle trips to no more than 2000 per day.

PLANNING COMMISSION RECOMMENDATION:

May 9, 2006: DENIED STAFF'S RECOMMENDATION FOR LI-CO-NP DISTRICT ZONING. [M.DEALEY, G.STEGEMAN 2ND] (7-0) K.JACKSON – LEFT EARLY

DEPARTMENT COMMENTS:

The site zoned single family residence – neighborhood plan (SF-2-NP) and is currently used as an ad-hoc paint and body shop. The storage of vehicles is not permitted on the site, and the owner has been cited by APD for violations of the allowed uses in SF-2-NP zoning.

The request is for limited industrial – conditional overlay – neighborhood plan (LI-CO-NP) combing district zoning for the tract. The conditional overlay would limit daily vehicle trips to no more than 2000 per day.

The neighborhood plan designates industrial use on the site and the surrounding properties. There are single family homes on Regeine Road, some on land-zoned SF-2-NP and some on land zoned LI-NP.

At the time of the neighborhood plan rezonings the single family zoning in the area was not changed to match the Future Land Use map, at the request of some of the stakeholders.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-2-NP	Paint and Body Shop
<i>North</i>	SF-2-NP and LI-NP	Single Family homes and undeveloped
<i>South</i>	LI-NP	Undeveloped
<i>East</i>	LI-NP	Single Family homes and undeveloped
<i>West</i>	SF-2-NP	Undeveloped

AREA STUDY: The site falls within the adopted East MLK neighborhood plan, which calls for industrial use on the site. The proposed zoning would bring the zoning in compliance with the adopted neighborhood plan.

TIA: Not Required

WATERSHED: Boggy Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No **HILL COUNTRY ROADWAY:** No

REGISTERED NEIGHBORHOOD ORGANIZATIONS:

- Del Valle Neighborhood Association
- East MLK Neighborhood Planning Contact Team
- Austin Neighborhoods Council (511)

SCHOOLS: (AISD)

- Norman Elementary School
- Dobie Middle School
- LBJ High School

ABUTTING STREETS:

NAME	ROW	PAVEMENT	CLASSIFICATION	CAPITAL METRO	BICYCLE PLAN	SIDEWALKS
Regiene Rd	60'	20	Local	No	No	No

CITY COUNCIL DATE: **ACTION:**

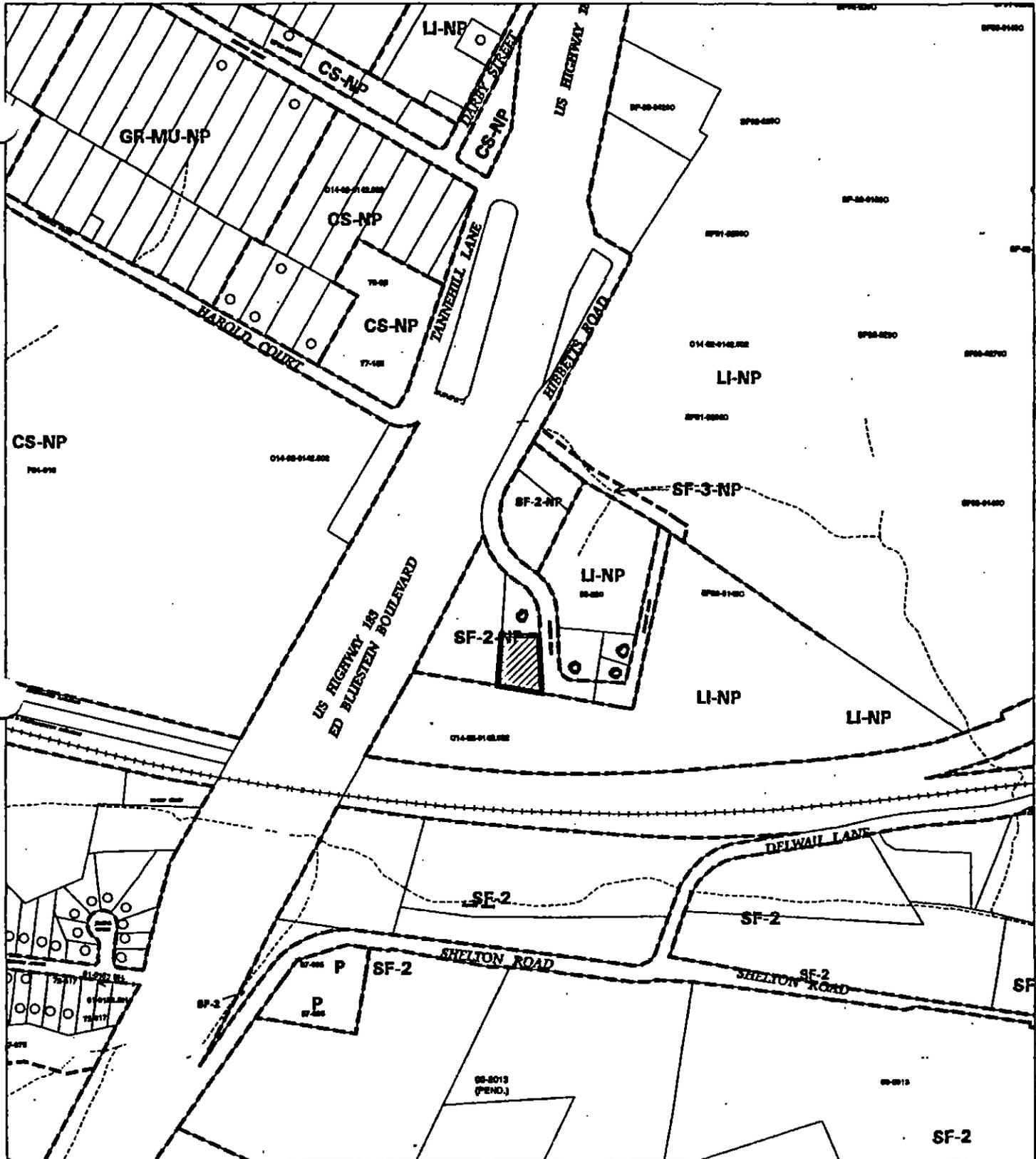
June 8, 2006:

ORDINANCE READINGS: 1st: 2nd 3rd

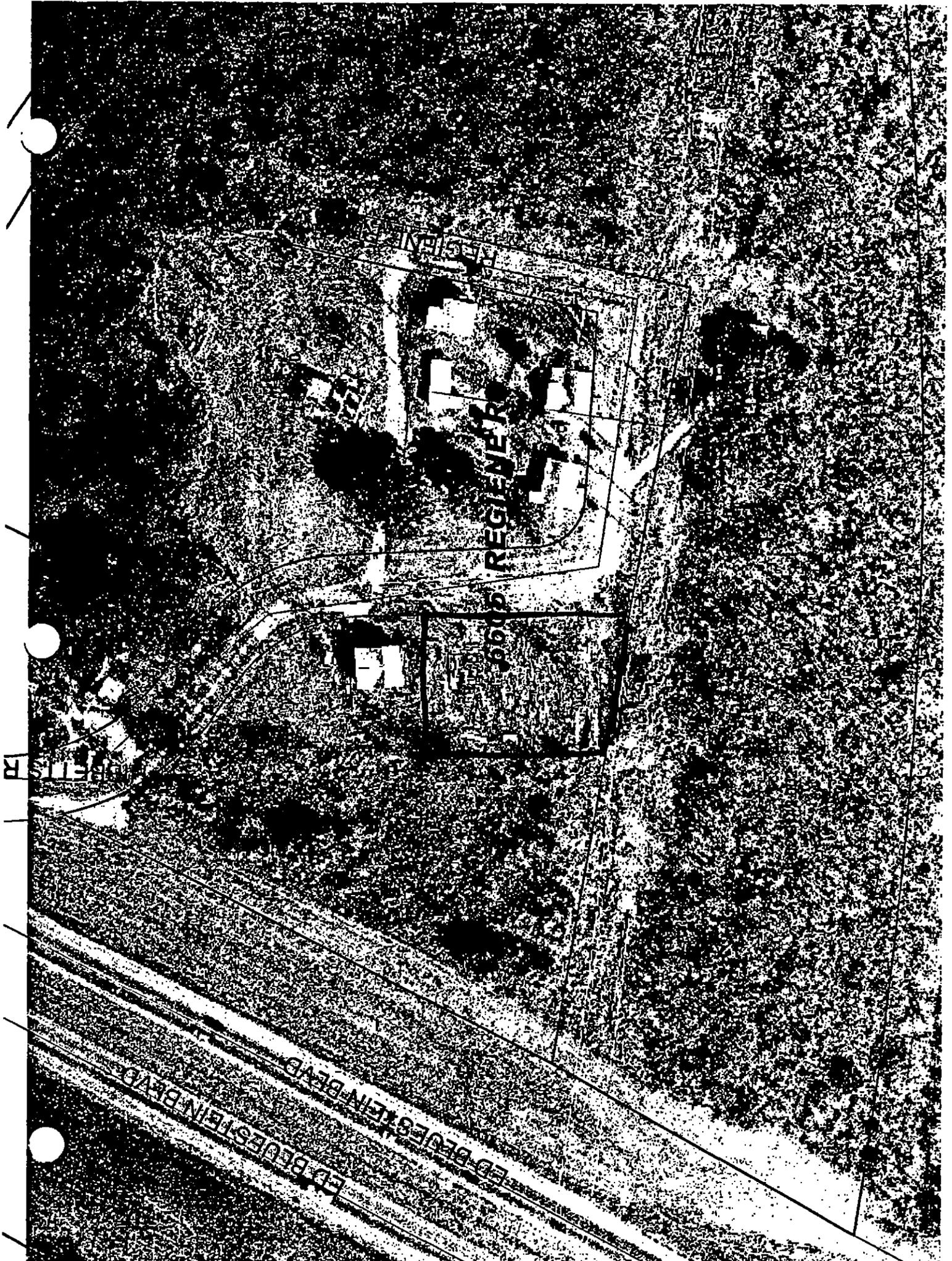
ORDINANCE NUMBER:

CASE MANAGER: Robert Heil
e-mail address: robert.heil@ci.austin.tx.us

PHONE: 974-2330



 1" = 400'	SUBJECT TRACT 	ZONING CASE #: C14-06-0082 ADDRESS: 6605 REGIENE RD. SUBJECT AREA (acres): 0.664	DATE: 06-04 INTLS: TRC	CITY GRID REFERENCE NUMBER M22
	PENDING CASE 			
	ZONING BOUNDARY 			
	CASE MGR: R. HEIL			



REGIENER

B-B-BESTEIN-BEAD

SUMMARY STAFF RECOMMENDATION

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

- 1. Zoning changes should support adopted neighborhood plans.*

The site falls within the adopted East MLK neighborhood plan, which calls for industrial use on the site. The proposed zoning would bring the zoning in compliance with the adopted neighborhood plan.

EXISTING CONDITIONS

The site zoned single family residence – neighborhood plan (SF-2-NP) and is currently used as an ad-hoc paint and body shop. The storage of vehicles is not permitted on the site, and the owner has been cited by APD for violations of the allowed uses in SF-2-NP zoning.

The neighborhood plan designates industrial use on the site and the surrounding properties. There is a single family house on SF-2 zoned land immediately to the north of the property. Across Regeine Road there are three more houses, these on LI-NP zoned land.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Bogy Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.

Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.

This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 s.f. cumulative is exceeded, and detention for the two-year storm. At this time, no information has been provided as to whether this property has any pre-existing approvals which would preempt current water quality or Code requirements.

According to flood plain maps, there is no flood plain within the project area.

At this time, site-specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

Transportation

Additional right-of-way will be required for this site at the time of subdivision and/or site plan.

The trip generation under the requested zoning is estimated to be 2,727 trips per day, assuming that the site develops to the maximum intensity allowed under the zoning classification (without consideration of setbacks, environmental constraints, or other site characteristics).

A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC, 25-6-117]

Existing Street Characteristics:

NAME	ROW	PAVEMENT	CLASSIFICATION	CAPITAL METRO	BICYCLE PLAN	SIDEWALKS
Regiene Rd	60'	20	Local	No	No	No

Water and Wastewater

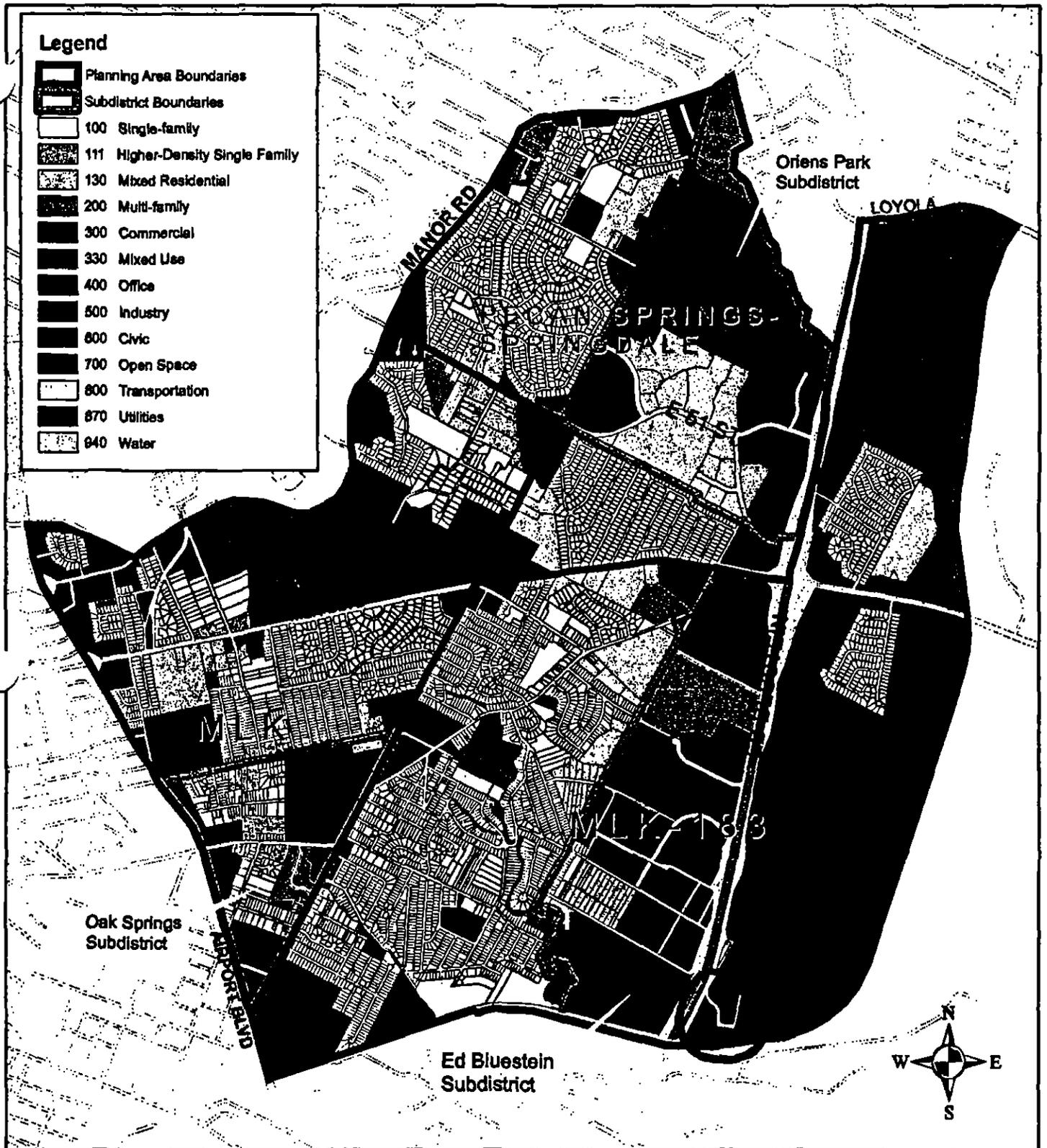
Currently, there is no City of Austin wastewater main at the site. The landowner intends to serve the site with an onsite septic system. The onsite septic system plan must be reviewed and approved by the Austin Water Utility.

There is an existing City water main at the site. However, the existing City water main may not have sufficient capacity for the land use and an offsite main extension and system upgrades may be required. The landowner, at own expense, will be responsible for providing the water utility improvements, offsite main extension, system upgrades, utility relocation, and adjustments.

The water utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City of Austin design criteria. The water utility construction must be inspected by the City. The landowner must pay all applicable and associated City fees.

Site Plan

No comments on site plan issues.



East MLK Combined Neighborhood Planning Area Future Land Use Map

A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries.

Updates may occur past the date of this map. Please verify with the COA.

City of Austin
Neighborhood Planning & Zoning Dept. Public Hearing
May 9, 2006

Attn: Mr. Robert Heil

Re: Case # C-14-06-0082

Subject: Rezoning of 6605 Regiene Rd.

* My husband and I strongly object to rezoning.
as we are the owners of 6600, 6603, 6702, 6704, 6706.

Reasons for objection:

- ① All our properties are very close to 6605. All are single family homes with the exception of 6600 which is undeveloped. All have been owned by the Regiene family since the early 1940's. 6705 is also a residence - not owned by us.
- ② Mr. Kurachi's property, 6605, has been continually in violation to Code Compliance. Complaints were made to Solid Waste Services and Code Compliance. He has used it as a trash dump and "wrecking yard", encroached on the power line easement owned by City Electric and parked a junked boat and old truck on property immediately behind (to west) of 6605.
- ③ Mr. Kurachi's zoning request is not in keeping with the present residential neighborhood status. His present use of 6605 has already brought undesirable traffic and sense of insecurity to our homes. Property was stolen from his property